

Letter from Henry Dundas to Lord Mornington (later Earl Wellesley) Governor General of India: 9.10.1799

No 17

Wimbleton
9th October 1799

My Dear Lord

By the overland conveyance of date 27th September, I wrote to your lordship a few lines giving a very general outline of my sentiments respecting the final arrangements of the late conquest made of the kingdom of Mysore. I resume the subject under considerable difficulties as in all probability your lordship may have made an arrangement which it would be inexpedient to disturb. But my uneasiness arises from the immense importance I attach to the settlement of India at the present crisis. In the confidential letter I received from your lordship dated _____ after the war commenced you stated your intention with regard to the objects of negotiation to be pursued under every contingency except the one which actually happened, viz, the complete overthrow of Tippee's power by the capture of Seringapatam. I confess I see no permanent peace in India if any of the descendants of Tippee are placed upon the throne of Mysore; let them be curtailed in power and influence as much as you please still there will remain the seeds of new hostility, perfidy and revenge, which experience has proved to be inseparable from the continuance of power in that family. One would have thought that the severe lesson Tippee was taught by the event of the war terminated by Lord Cornwallis, would have ensured the quiet of India for some time by teaching him how incompetent he was to struggle with the power of Great Britain in India. But from the documents lately transmitted by you he appears as early as 1797 to have resumed with redoubled animosity all his hostile intentions to the interests of this country in India. It may be true that if the temptations of aid from France had not been held up to his view he might have remained quiet, but he would only have done so till some fresh temptation was presented to him. Our situation in India never can be sustained if its peace and security is to rest on such a precarious tenure. I need not enlarge on this topic as I am persuaded your lordship will feel the principle I am stating as strongly as I do, and if you do not apply it on the present occasion to the purpose of totally excluding the family of Tippee Sultan from either the reality or resemblance of power in Mysore your not doing so must arise from your lordship not feeling as forcibly as I do the necessity of adopting that line of conduct as essential for the security of the British interests in India.

I have often heard an idea circulated that it would be an act of munificent generosity on the part of this country, if they would restore the old Mysore family, dethroned by the usurpations of Hyder Ally and his son. This is a refinement to which I confess I am not disposed to subscribe. I know not with any certainty that there is any such family. If there is let them feel the generosity of the British nation in the exercise of its power, but do not let this be done by sacrificing or exposing to risk our own permanent interests. Such a measure could not be adopted without

fettering and controuling him in such a manner as to render all his operations and transactions subservient to our interest and safety. He must of necessity be a cypher on his throne, and I can only appeal to your lordship's experience in the cases of Arcot, Oude and Tanjere if we have such inducement to resort to that species of mixt and double government which has hitherto proved as unpropitious to the happiness and prosperity of the governed as it has to the safety, interests and character of the governors.

I distinctly state it as my wish that your lordship may have seen cause to annex the kingdom of Mysore to the crown of Great Britain to be administered in the same mode and by the same rules as those which are applied to the other British possessions in India. I know from from the communication that you have made to me, that under no circumstances your lordship would agree to allow the maritime parts of the Mysore country on the Malabar coast to remain in any hands but our own, and likewise take it for granted, that you would not allow any part of the country below the passes which enter into the Mysore country from the Carnatic to remain under any government but ours. Holding these points as certain I am at a loss to form any solid grounds for thinking that any reason can be assigned why that part of the peninsula, in place of forming an extensive disjointed and irregular boundary to our interests in the Carnatic should not be concentrated into one valuable and efficient possession connecting together our territories on both coasts, of which Seringapatam itself would be the centre and capital. By such an arrangement we would be impregnable from any quarter, we would have a productive revenue adequate to all our objects both political and commercial, and thereby relieve ourselves from the necessity of draining the revenues of our dominions on the Ganges for the support of our other settlements; we would be placed in a situation with facility and promptitude, either to check the first appearance of hostility on the part of the Mahrattah and the Nizam or to afford them our protection so long as they remained faithful to their engagements with us; in short we would be enabled to preserve the peace and be the arbiters of India, and if we took care that in every act of our administration our justice should be as conspicuous and acknowledged as our power, I can see no reason why our Indian interests may not for ages rest upon a basis of impregnable security.

Under such an arrangement I should doubt the necessity of having so many separate settlements. Bombay ought to remain a powerful military station with a competent marine establishment and all our other settlements on both coasts (including Madras and Ceylon) ought to be stations dependant on the government established at Seringapatam where the great central army ought to be. These different stations on the coast would continue to be great commercial establishments with as much military force as was necessary for their security; but my reason for saying that the great army of that part of India ought to be in the Mysore country is, that from its elevated situation it could watch over not only our territories but those of our neighbours from whom alone any danger could threaten us. An army situated there could at any moment march either into the Mahratta dominions, or the Nizam's country, or our own possessions on the coasts of Malabar and Coromandel as circumstances

might require.

In all this reasoning I do not overlook the objection which naturally suggests itself for consideration, I mean the claims which our allies may be supposed to have to a share in the conquests we have made. These allies can only be the Mahrattas or the Nizam. The first do not appear to have any claim at all, for they have not in any respect borne a share either in our dangers or in our exertions, and in place of thinking of new acquisitions they can only consult their interest by bestowing their attention on the management of those vast territories they already possess. The Nizam certainly has a claim to attention; and after the situation in which we are now placed respecting him by your lordship's masterly stroke in banishing French intrigue from his Durbar, there can be no doubt of its being our interest to cultivate by our means the most cordial connexion with him. Whatever difficulties there might have been in managing that connexion when we had to consult the jealousies both of the Mahrattas and Tippee I do not think any such difficulty now remains. The Mahrattas must, from past experience, be sensible of our sacred attention to the faith of treaties and therefore will feel it their interest and their inclination to connect themselves with us in the preservation of our common engagements with the Nizam the bases of which are purely defensive, and to which our guarantee must inviolably attach. If your lordship feels that you have the option in your hands I would rather prefer remunerating the services of the Nizam by pecuniary compensation than by additional territory; but if you find that to be inexpedient I have no hesitation in saying that I would much rather gratify the Nizam in his favorite wish of recovering the Circars than I would break in upon that unity and connexion of power and dominion which it is now in our hands to obtain by annexing the Mysore country to our territories. From the anxiety the Nizam has never failed to feel and express on the subject of the Northern Circars, there can be no doubt he would feel such a concession on our part as an ample compensation for any proposition we may have occasion to make to him. If in the course of such an arrangement the Circars should return to the Nizam it will not escape your lordship's attention to guard with the utmost precision against any chance of these territories being alienated to any other power whatever without our special consent previously obtained; and under the circumstances by which we are now related to him, you will be under no difficulty in excluding all other powers from the ports in his maritime dominions except with our consent and concurrence.

I refer your lordship to the map of India for the boundary which this agreement would establish between the Nizam and us. It would run from Innaconda to where the Tungabadra river touches the Mahratta territories; and would bring the districts about Adoni and Cuddapah within our boundary; but I understand that is not a valuable part of the Nizam's country and the cessions of the Circars would be felt by him as a full remuneration for these districts and the services he has performed to us in the course of the war.

If your lordship has made or shall make such an arrangement as I have detailed there arises an easy answer to the question your lordship puts to me how

far it is eligible that the Nabob should take up his residence at Arcot. I answer without hesitation in the affirmative. The only plausible reason why it has ever been stated that he ought to reside at Madras is, that we have thereby the means of watching over him and preventing his intrigues with the French, with Tippee or any other power in his neighbourhood. That reason, I trust, is at an end. The commanding situation we would possess gives the full means of every such precautionary attention, and to your lordship, who by this time have probed it to the bottom, and felt the pernicious effects of it, to your Government, I need not detail the incalculable advantages which would accrue to the interests, the morals, and the material character if we could by removing his Durbar at a distance from our Government and servants; annihilate that source of wickedness, intrigue, profligacy and corruption.

In my letter of the March, I entered so fully into a detail of my sentiments on the situation and importance of the native powers in India, and of our relative connexion with them respectively, it is not my intention at present to enlarge again on those topics. But the new situation in which India is now placed by the fall of Tippee, tempts me to look forward to a state of affairs beyond the present moment. The different modes of disturbing our power in India have been supposed to be either by a direct attack on our territories on the Ganges, or by overwhelming us by expensive contests in the Carnatic by the union of European and native enemies.

As to the first of those modes, it can scarcely be looked upon as a probable, or indeed a possible event, unless the French were to be in possession either of Ceylon or the Mauritius joined to a superiority at sea. This last is an essential ingredient; for although the French were to be able to collect a great military force at Ceylon or the Mauritius, and land it in the Bengal provinces, the army could not long maintain itself there unless reinforced and otherwise supported by the protection of a superior naval force.

The Carnatic therefore has hitherto been the chosen spot for annoying us; and this has been done in cooperation with a powerful native force chiefly in the person of Hyder Ally or his son Tippee. If we improve the present as I trust we will, this mode of attack will be rendered so unpromising as almost to remove the apprehension of it. The Mahrattas or the Nizam are the only native powers in that quarter to whom the French could apply for cooperation, but if the measures are adopted which I have detailed in the course of this letter, I think their own manifest interests to keep with us, and the example before their eyes of the fall of Tippee, give us just ground to hope that our interests in the Carnatic rest on so sure a foundation as to exclude any alarm of danger in that quarter.

But contemplating the local situation of Hindostan and the nature of its inhabitants in the northern parts of it, we should act a very unwise part if we did not keep a watchful eye on what was passing there. There seems no reason to doubt that Zemaun Shah was implicated in the late combinations against us, and as his object is well-known to be the recovery of the throne

of Delhi, if he persevere in that pursuit it is impossible for the British power in India to be an indifferent spectator or inattentive to the consequences of so powerful and restless a chief coming on the back of our frontiers. He would not long remain quiet, but the country of Gude would be the immediate object of his ambition, and I need not detail to your lordship the fatal consequences to our Bengal provinces, if ever he would be successful in such an enterprise. Such an attempt must be met and resisted in the first and in every stage, and if we are not remiss in our attention to the subject, I don't feel it to be attended with either difficulty or danger. Our own resources alone in the Bengal provinces would be sufficient for the object, and as the Mahrattas, particularly Scindia, has so manifest an interest in the question, there seems no reason to doubt his cordial concurrence in the resistance of such an invasion. But I do not think even there it ought to be allowed to rest; for by keeping up a connexion with the various tribes on the northwestern part of India, it is not a difficult matter to find him at all times business at home to prevent him from hazarding so dangerous an enterprise at so great a distance from home. With this view allow me to direct your attention to the Indus river and those who inhabit the borders of it. I have always thought that if any great European powers had a view to destroy our interests in India they would have acted a wiser part in directing their attention to that quarter than even to those which have more immediately attracted it. But be that as it may if they are excluded by recent events from annoying us in those former quarters, it is reasonable to suppose they will now turn their eyes to that which seems to present a fair opening for that purpose, if we do not take care to shut the door against the danger of their intrigues. For this purpose the possession of Diu would be a most desirable acquisition. Even alone it would be so as it would be the means of preventing its falling into the hands of France. The Portuguese are totally unable to keep it, nor do I know of what advantage it is to them to possess it. It can not escape observation that the Portuguese possessions on that side of India, formed an essential part in the confederacy lately formed between the French and Tippee Sultan. Even now that Tippee is destroyed depend upon it they will still remain objects of great importance to them to obtain. Goa and Diu would be valuable possessions to the French, if they direct their attention to intrigue with powers in the North west. The Indus is navigable with vessels of considerable size the length of Moultan, and therefore in respect both of its valuable commerce, and in respect of the means it affords of forming connexions with the various chiefs and tribes who border upon it, it opens prospects of extensive speculation, to any power who may wish to rival the wealth or overthrow the power of Great Britain in India. The alliance which such a power would naturally cultivate would be that of Zemaun Shah. He annually resorts to Moultan; the tribes who inhabit the border of the Indus from Moultan to the sea are tributary to Zemaun Shah, and he would be well disposed to give them to any power who would aid him in his views on Hindostan; every inducement of interest and hostility must exert in the breasts of the French the desire to concur in these views. By doing so they introduce a powerful invader upon our Bengal territories in like manner as they tempted Tippee to be our inveterate enemy in the Carnatic. Zemaun Shah is the natural enemy of the

Mahrattas and he would cordially concur with the French in the conquest of the Guzerat country, whereby they would be enabled to maintain a very considerable army to act in cooperation with Zemaun Shah in the establishment of their joint wishes of invading Hindostan and exterminating the British power in India.

Your lordship will probably anticipate the conclusions I naturally draw from these observations. It is my wish that you should explain to the Mahrattas the deep interest they have to prevent the accomplishment of the views I have described. Their existence is implicated in the question, and if they are duly sensible of it they will readily concur in the wish of our obtaining possession of Diu and Goa from the Portuguese and of our maintaining a considerable force at their expense in the Guzerat for the protection of it, and to be prepared to thwart and counteract any views which may be formed by a cooperation of France with Zemaun Shah and the tribes bordering on the Indus. If we had a well disciplined force at Diu and in the Guzerat, we could effectually watch over every operation which might take place in the Indus, and if Zemaun Shah should at any time meditate hostilities against Hindostan to the eastwards we could, by moving a force up the Indus, and cooperating with the Seiks or other tribes hostile to him recall him to his own territories by very hasty strides.

This letter has extended to a greater length than I proposed, I shall have occasion to write to you on other subjects, but I wished to confine myself at present to that which I have treated of in this letter, and I flatter myself I have made my ideas so intelligible to your lordship as will enable you to act upon them so far as circumstances will now admit.

I have the honour to be
My dear Lord,
Yours very faithfully

Henry Dundas

From Additional Manuscripts No 37274 (sheets 244-57) amongst the Wellesley Papers in the British Museum. The letter does not appear to be printed in the printed "Despatches, Minutes and Correspondence of Marquis Wellesley during his administration of India 1798-1805" published in 5 vols in 1836-7. Wellesley's reply dated 5.3.1800, however, is included in vol II pages 225-49 and further in letter dated 9.6.1800, pages 267- vol II.

Mysore

Gorakhpur
May 11, 1818

My Dear Cole,

I have received your letter of the 7th of April, and am happy to say that Lord Hastings feels every disposition to meet your wishes, with regard to the grant of a small tract of territory to the Rajah of Mysoor as a personal Jagheer if it can be managed without serious public inconvenience. It had best be given, if at all from our new acquisitions south of the Krishna, and as General Munro and Elphinstone must be our oracles on this point I recommend your opening a correspondence with the General on the subject, and getting his opinion as to the practicability of the thing and if this favourable, ^{ku} the most convenient spot, its size, value etc. This done we will get it put in train, and you may either recommend it publicly, or it can originate with the Governor-General. I recommend our stating all these points, in the first instance, as I would be sorry to see the question officially agitated if it cannot be carried successfully through.

J-III/2

(signed) J. Adam

India Office Records: Elphinstone Papers:
F88/9/E/20/No.13: Letter from Mr. J. Adam,
Secretary to Bengal Government
to Mr. Cole
regarding the grant of a personal
Jagheer to the Rajah of Mysoor
"in recognition of expenses by Rajah
during late war.....
3½ lakhs from December to July 1818 for
4149 men; regular infantry." Also letter
from Adam to Thomas Munro dated 6.7.1818:
Both enclosed in letter from Cole
to Elphinstone:
Letter to Thomas Munro: 6.7.1818
(Extract)

.....In these circumstances I have considered it but fair to ask for some remuneration for the little fellow. He would be very grateful for it, and the thing might have an excellent effectI know that you will dislike affording the Rajah any additional land, from the annoyance you will naturally feel at his bad management of what he has, but I beg you to recollect what Blackee is, in this respect generally, and that we cannot expect to find a Poorneia every day. One thing I must say for him, that however he may neglect his own affairs, he is never backward when we want his aid, and this ought to be balanced in his favour.

Mysore: 1782

In 1782 two persons appeared at Tanjore who declared themselves agents of the Ranny of Mysore (a prisoner at Seringapatam) whose husband and children had been put to death by Hyder, who had usurped the country.

These persons entered into a negotiation with Mr. Sullivan, Resident of Tanjore, for the entire dissolution of Hyder's power, and the restoration of the legal heir, and an agreement was at length concluded under the sanction of the Madras Government, upon the following terms;

3 lacks of Pagodas to be paid by instalments as we advanced in the reduction of the Coimbatore and other districts on this side the hills.

1 lack on the fall of Ardinelli

1 lack on the fall of Mysore

5 lacks on the fall of Seringapatam

5 lacks per annum for the protection of the country, and a jaghire of

6 lacks in any part of the country the Company shall prefer.

The countries taken by Hyder from the Nizam and the Marattas, were not to be made over to the Ranny and the Company reserved to themselves the liberty of reinstating the family of Morarow in the Gutty country.

The agents, as is usual on such occasions, gave the strongest assurances that the numerous adherents of the family of the late Rajah (some of whom were still in being) were ready on any reasonable prospect of success and risk their ^{lives} persons and property in the attempt to restore the ancient family.

The Cudapah country likewise, which had recently been subdued by Hyder, was claimed as to

Scottish Record Office: GD 51/3/499/15

its immediate Government by persons who were confident of support from the inhabitants on the appearance of any from the Company and who were ripe for revolt. The sovereignty of the country is supposed to be in the Soubah of the Decan, under whom there was little doubt that the immediate claimant would have been happy to be received as a tributary Chiefs.

There was at Tanjore at the same time a Vackeel from the Myrespatchet Pollygar, who was likewise employed (570v) on the part of a great number of other Pollygar Chiefs, who were ready to engage that a number of them to the amount of 5,000, should join our standard as soon as we entered their country.

The province of Coimbatore was described as commencing at Pallicatcherry; and the country from thence to Trichinopoly, as a valley for the most part in the possession of Pollygars, who, from their vicinity to the countries of Tinnevelly and Madura, are seldom in obedience to Hyder's Government. In the month of March of that year (1782) they were in actual rebellion, and had applied to the Commanding Officer at Madura and Trichinopoly for assistance.

The Rajah of Pallioatcherry also who had lived for many years in the most inaccessible part of the country was come down with his followers.

And the Polygars of Dindiguel who were always distrusted by Hyder, and were ever inimical to him, had offered provisions and troops.

It was likewise said, that in May 1781, offers were made by the late Appage Row, formerly Governor of Sounda, to engage all the Pollygars south of the Kistna, to rise in favour of an English force, whenever it should appear on that side.

It was natural for Mr. Sullivan, to whom the overture from the Ranny of Mysore was first made, and who conducted the whole of the negotiation to form great expectations from its success. Under the present treaty, says he, Bombay will have as great a share of political influence, as it could have had in the possession of all the Marratta conquests. It was in Mr.

Sullivan's idea, that the promised jaghire should be taken from the countries of Eogunda and Onore, the revenues of which, independently of the commercial advantages in pepper and sandal, would defray the expenses of a considerable army.

But General Stuart, who was at that time a member of the Madras Government, differed from his colleagues in the opinion they had formed of the proposal made by the pretended agents. He saw "no solid ground of expectation of any assistance from any negotiation with the person called the Ranny of Mysore, neither is there reality in the idea of sentiment and attachment of neighbouring sovereigns, and of others from their being old subjects, or from hatred to Hyder's assumed government, by what every way acquired." (S. J. R.) In short, the General seemed convinced that Hyder himself was at the bottom of the negotiation. The subsequent treaty with Tippoo rendered it impossible to bring his opinion to the test; but if a judgment might be formed from the admirable plan of operations proposed by one of the agents, one would be inclined to differ in opinion with the General upon this subject. Certain it is, however, that the agents of the Ranny of Mysore failed in their pecuniary engagements. The causes of these failures were expressed in Mr. Sullivan's letter to the Government of Madras 16th July 1783, they were principally attributed to the measures adopted by the Commander of the Southern Army (Colonel Laug) being the reverse of those on which the agents had built their expectations.

Mr. Sullivan says that his conduct thro' the whole of the Mysore negotiation was materially influenced by the following passage in a letter from the Court of Directors to the Government of Madras 17th March 1769.

"It should have happend when these advices reach you, that Hyder should be extirpated, and it should not be inconsistent with any engagements you may have entered into, our wish would be to have restored to the ancient Rajas and Powers, to whom they belonged, the several districts and countries taken from Hyder Ally; after reserving to us the passes and forts which serve as a barrier between the Mysore and the Carnatic. Such a step must demonstrate to all the Indian Powers with whom we are connected, that we mean ~~not~~ to distribute to every man his own; and by a just, mild, and prudent conduct towards them, to evince that conquests and plunder are not the objects of our pursuits."

(S. J.)

June 1790

Political Despatch to India: 30.10. 1839: No 20
(Affairs of Mysore)

1. The letters and paragraphs enumerated in the margin contain your reply to our separate Political Letter dated 20th September (No 20) 1837, and a continuation of your reports on Mysore affairs.

J-III / ④
2. In consequence of (p. 1032) our observations upon what we deemed the undue severity of the sentences on the Nuggur insurgents, Lt Col. Gubbon has under your orders released a few of those whom he considered the least guilty of the criminals. He has, at the same time transmitted to you some observations in vindication of the severity which had been exercised against this class of (p. 1033) offenders; and Col. Morison has recorded a minute to a similar effect. The substance of the defence is, that the punishments, which appeared to us too severe, were never inflicted for the mere offence of insurrection against the Rajah's Government, and were in general confined to persons implicated in the subsequent proceedings of "the banditti under Surjapad Naik and other (p. 1034) leaders of less note, in the year 1833, when these territories had been upwards of a year under the British rule". Of the cruelties inflicted by these outlaws, a frightful, but we have no doubt a true, picture is presented; and it is stated that the distinction was always kept in view between "the excited and angry insurgents whose passions are roused in (p. 1035) the cause of civil commotion, and those cold blooded assassins and gang robbers who rejoice in the season of public disorder not because it promises freedom from a particular government, but because it offers to them a temporary release from the restraint of all government, and impunity for their excesses."

3. We have quoted the words of Lt Col Gubbon, because (p. 1036) they express with sufficient correctness the distinction which we wish to be drawn. The comparative lenity which, especially on the first introduction of our administration, we think it both just and politic to shew in cases of political insurrection, (and even towards parties committing excesses in the course of such insurrection), there/certainly no ground for extending to persons who, being /is already decoits, take advantage of the facilities afforded by the disturbed state of the (p. 1037) country to commit acts of bloodshed and rapine. But we can not doubt that there must occasionally be considerable political difficulty in discriminating the one class of offenders from the other, and we entertain a suspicion (which some passages in Lt Col Gubbon's letter tend to confirm) that persons have in some cases been placed in the latter (p. 1038) and more atrocious class on presumptions we can not deem conclusive.® The fact, for instance, of having put persons to death in cold blood, or inflicted torture for the purpose of extorting plunder, appears to have been considered sufficient to prove that the perpetrators were not political insurgents but gang robbers. Yet it is evident that insurgents frequently have no means (p. 1039) of supporting the contest but laying hands upon whatever they can find, and when such is the case in a country like India such atrocities as these we have mentioned will necessarily be perpetrated, though we hope seldom to the extent of what is said to have taken place in this instance. Moreover, it is not asserted, nor is (p. 1040) it credible, that the leaders Sirjapah and Rungapah Naicks, both of whom we believe (the former certainly) have been capitally punished, were decoits and common plunderers previously to the insurrection: they were state pensioners at the time, were the descendants of the ancient Poligars of the country, and, as is admitted by Lt Col Gubbon, may have had "a remote hope (p. 1041) of

IGR: E/4/760. The letters referred to in Para 1 are: 4.4.1838 (No 10) paras 71-6; 5.9.1838 (No 45), paras 84-5; 15.9.1838 (No 48); 26.12.1838 (No 63). The Collections to this despatch are 72794-5.

® (marginal remark in pencil) "I have some doubts about the expediency of this dissertation, altho the distinctions may be quite just."

regaining their ascendancy in the Poligarship held by their ancestors". In fact when we consider how long it is before hopes and pretensions of this sort are abandoned, we can not entertain any doubt that this was the true origin of the participation of these persons in the insurrection, and that they therefore belonged to the more venial of the two (p. 1042) classes, the political insurgents, although (abstractedly considered) the acts they perpetrated in the course of the insurrection may deprive them, individually of any claim to sympathy.

4. We do ^{not} think it necessary to prolong (extend) these remarks, nor to prescribe to you any course with regard to the prisoners but such as you, after weighing our observations, may deem advisable. (p. 1043) But we must correct a very serious misapprehension of Lt Col Cubbon. Whatever degree of moderation might be observed in the infliction of punishment, it would not follow that persons who had plundered property during the insurrection should be permitted to "live at their ease" upon it after the restoration of tranquility. Whether they were (in point of fact) insurgents or common depredators, all (p. 1044) property found in their possession ought to be made applicable as far as it will go to compensate those who have suffered by their excesses.

5. On another subject, the great number of prisoners who appeared to have been convicted on their own confession, the explanations given by Lt Col Cubbon are perfectly satisfactory and that officer is quite correct in (p. 1045) supposing that we had not the most distant idea of objecting to the admission of this (under some circumstances) most valuable species of evidence.

10. ... Proceeding upon the supposition that minor offences are (p. 1057) on the increase Lt Col Cubbon ascribes this circumstance to the abolition of corporal punishment. ...

11. This passage accurately describes the causes of the great difficulty of finding an unexceptionable or even tolerable kind of punishment; a difficulty which has not yet been overcome even in Europe, (p. 1061) and which is inherent in the nature of the case.

12. We think it unfortunate that a country like Mysore, which had so recently come under our management; which we had it in view ultimately to restore to a native government, and for that reason generally avoided any innovation inconsistent with the maxims and practices of the best (p. 1062) native governments, should have been made the subject of an experiment so embarrassing to any native government, as the total abolition of corporal punishment. ... We shall be prepared to consider with attention any suggestions which you may find it desirable to make on a reconsideration of the subject. @

@. ends on p. 1072, para 16. Paras 6-8 deal with the Raja's allowance and revenue affairs; 9-12 with criminal justice; 13-4 with civil justice; and 15-6 with pay etc. Para 14 draws attention to Pol. Des of 25.9.1835 regarding judicial policy in Mysore.

Explanation of Colonel M. Cubben as to Conviction on Self-Confession
in Mysore :1830s

54. Some reasons for confession can be traced to the peculiar habits, and modes of thinking of the people, some to their condition in life, and others to the influence of former government.

55. The habits of criminals are very favorable to the practice of voluntary disclosures. Serious robberies and outrages of every kind are generally committed by gangs who whether lured for the occasion, or originating the enterprise among themselves, are bound together, by very weak ties, are often composed of several different castes, jealous of one another and constantly quarrelling about their shares of the plunder. Their own general safety renders separation necessary immediately that their design has been executed, and the capture of one, who has always some motive to gratify others, very commonly leads to the apprehension of all.

56. Each in his turn suspects the fidelity of his comrades, and discloses as much of the transaction as bears chiefly on others, and thus altho at the final commitment in the Talook, such a mass of irrefutable evidence is collected, and that so strengthened by various minute facts, as to make denial quite useless and incredible.

57. Again, many prisoners are so reckless and destitute that to them the consequences of confession, and the subsequent conviction are matters of perfect indifference. A jail has no terrors for them, and they care not how soon they are immured in it. (p. 209)

58. There are others, especially Muhamedans who having perpetrated crime from motive of revenge glory in its confession, and some look upon apprehension as the first work of an inevitable fate, whose decrees it would be absurd and impossible to withstand.

59. All prisoners of low condition have a certain respect for authority, which lends them too upon apprehension, as much as they think may make on the committing power, some slight impression in their favor. A steady denial of guilt in the face of confronting witnesses, or opposed to plain proofs, would in their opinion aggravate their offence, and under former governments undoubtedly such a course would have enhanced their punishment.

60. It is evident however, that this last motive to confess is fast passing away.

61. The practice has become very common lately for these several members of a gang, after confessing voluntarily in the Talooks, to combine in the interval of their commitment deny all their talook statements and boldly charge the district authorities with extorting them, notwithstanding that the perfect coincidence (p.210) of the separate examinations, render it impossible but that the fact must have really occurred, and that not the slightest proof can be brought to support the assertion of ill-usage.

62. No doubt some cases may have occurred in the districts in which close confinement has induced a remanded prisoner to disclose more than he would have done if at large, and as old habits are but slowly eradicated, it has happened occasionally that threats of ill-treatment and ill-treatment itself, have been employed to induce the accused to give information on the charge on which they have been apprehended but prisoners, it is amply proved, are quite aware of the attention and enquiry charges of ill-usage call forth from revising tribunal, and amildars have been so strictly watched on this point that it is almost impossible that any violence can now be used towards prisoners without detection and disgrace.

63. Justice therefore being no wise compromised by the present practice of admitting and recording the voluntary disclosure of the accused it may be presumed that jealousy guarded as it is within these territories and received only as a corroboration not as the sole proof of guilt, little objection can be brought against it. (p211)

IOR: Board's Collections No. 72794 (F/4/1771 : 1838-39)